



## *Oregon Accreditation Alliance*

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**TO:** Oregon Accreditation Alliance Board  
**FROM:** Scott Hayes  
**AGENCY:** Philomath Police Department  
**SUBJECT:** Reaccreditation onsite assessment  
**ONSITE DATE:** October 23, 2019  
**ASSESSOR(S):** Scott Hayes  
Deputy Chief of Police (Retired)  
10135 NW Coyner Ave  
Redmond, Oregon 97756

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### **INTRODUCTION**

The Philomath Police Department joined the Oregon Accreditation Alliance in October 2002 and was awarded their initial accreditation in April 2010. This will be the agencies third reaccreditation under the leadership of Ken Rueben.

### **CITY PROFILE**

The City of Philomath is located mid-Willamette Valley with a population of 4,760 (2017). Established at the base of Mary's Peak, the tallest peak in the Coast Range, Philomath is just West of Corvallis and Oregon State University and a short 45-minute drive from the Oregon Coast. This unique location offers very diverse opportunities including mountain biking on Mary's Peak, Division 1 sports at Oregon State, fishing on the Alsea River, or wine tasting at local wineries.

### **CHIEF OF POLICE KEN RUEBEN**

Ken Rueben was hired as the Chief of Police for the City of Philomath on August 22, 2015, and began his employment with the city in March of 2014, when he was hired as the Police Sergeant. Ken has had a 30+ year career in the Law Enforcement Field including stops in Los Angeles, Corvallis, Salem and now Philomath.

Prior to his employment in Philomath, Ken was the Special Agent in Charge of the Oregon Department of Justice's Criminal Justice Division. He managed thirty-nine employees, including four managers and an additional outside-agency staff of twelve, and was responsible for all law enforcement aspects of the Criminal Investigations Unit, the Oregon Criminal Intelligence Unit, the Oregon HIDTA Intelligence Support Center and the Oregon HIDTA Technical Investigations and Support Unit.

Ken was responsible for all Homeland Security programs including the Oregon TITAN Fusion Center, terrorism-related training, publications and investigations. Ken grew up in Southern California and started his law enforcement career with the Los Angeles County Sheriff's Department. Ken was assigned to work in the Los Angeles County Men's Central Jail and worked patrol out of the Lakewood Substation as a field training officer and was later promoted to Detective. His detective assignments included investigating gangs, narcotics, violent crimes, and motorcycle gang crimes.

Ken and his wife Ginny escaped from Los Angeles and were lucky enough to land in Corvallis, where they have raised two sons who are currently attending OSU. Ken worked at the Corvallis Police Department from 1993 to 1999, where he worked primarily as a Detective, responsible for property and person crimes, and acting as the department's representative on the Benton County Major Crime Team.

Ken earned a Bachelor of Science Degree in Management from City University of Seattle, and a Master of Arts Degree in Security Studies, Homeland Security and Defense from the U.S. Naval Postgraduate School. Ken is also an Adjunct Instructor of Criminal Justice at Western Oregon University.

Ken serves the Philomath community in several non-profit endeavors. He is an Executive Board Member of the Philomath Youth Activities Club and is a member of the Philomath Chamber of Commerce and the Philomath Rotary Club. He is also an active member of the Oregon Association of Chiefs of Police and the International Association of Chiefs of Police.

## **AGENCY RPROFILE**

The Philomath Police Department is a full-service professional organization providing 24/7 emergency services for the City of Philomath. The department is comprised of the Chief of Police, one sergeant and seven full-time sworn officers. There is one non-sworn professional staff member and two reserve officers. All emergency 911 calls for service are received and dispatched through the Corvallis Regional Communications Center (CRCC). The department utilizes the Lexipol Policy Manual.

## **PRE-ASSESSMENT PLANNING**

The Oregon Accreditation Alliance utilizes a two-phase on-site schedule, part of which replaces the need and costs of mock onsite assessments. The first phase identifies those standards for which compliance has satisfactorily been attained and those files are signed and completed at that time. Files which may have insufficient proofs or other issues are reported to the department just as would occur during a mock onsite. The department has the opportunity to correct those files either during the first phase or prior

to the second phase of the onsite. If these files are satisfactorily addressed, the Standard Summary Reports are signed off as complete. If any files still lack adequate proofs or still have deficiencies after the second phase, they are dealt with at that time just as they would during a traditional onsite assessment. Deficiencies are listed in the final report as a file repair, an applied discretion, or non-compliance.

### **ASSESSMENT SUMMARY**

Policies and proofs were reviewed prior to onsite assessment. On October 23, 2019 I met with Chief Rueben who also serves as the agency’s Accreditation Manager. Following the onsite review, I met with 911 Manager Scott Haberkorn and toured the Corvallis Regional Communication Center (CRCC). Based on the tour of the Philomath Police Department and a tour of the Corvallis Regional Communication Center I was able to verify the following observable standards:

- 2.2.8 Body armor wear
- 2.2.9 Use of occupant safety restraints
- 2.5.1 Appropriate emergency equipment for patrol vehicles
- 2.5.2 Necessary vehicle equipment
- 3.1.1 24-hour two-way radio capability
- 3.1.2 Phone and dispatch recording and playback
- 3.1.3 Emergency power
- 3.3.5 Appropriate biohazard labeling
- 3.3.6 Secure storage of evidence and property
- 3.3.7 Temporary secure after-hours storage for evidence and property

The employees of the Philomath Police Department were very professional, friendly, knowledgeable, and helpful. This is well-organized and structured department that has utilized good research and innovation in acquiring a new facility, equipment, and technology within available budgets. Overall, the files were in excellent shape, with only minor issues encountered that were correctable prior to the onsite.

### **STANDARDS SUMMARY**

Mandatory	<u>91</u>
Not Applicable	<u>13</u>
Non-Compliance	<u>0</u>
Waiver	<u>0</u>
<b>Total</b>	<b><u>104</u></b>

## ONSITE CHANGES/ADJUSTMENTS

### **File Maintenance**

This section reports on the condition of the agency's files presented to verify proof of compliance with accreditation standards. This includes organizing and marking files for review, clerical issues, the adequacy, correctness, and currency of proofs used for compliance. Generally, this section indicates preparation and understanding of the accreditation process. This section does not indicate compliance with standards or report on agency practices.

Agency's files were well presented and included all necessary documentation. Four files (1.3.6, 1.6.2, 1.3.7 and 3.3.10) required additional information or clarification.

### **Applied Discretion**

This section provides specific information on standards found to be in compliance after onsite "adjustments" were made. Adjustments may include modifying agency policies and directives, creating documentation, alteration of the physical plant, deficiencies in performance activities, and "wet ink" issues, where the written directive is newly issued.

One (1) file was returned for repair.

#### 1.3.6 – Less-Lethal Weapons and Control Devices

*A written directive specifies less-lethal weapons and control devices authorized for possession and use by agency personnel, and should include requirements for training and competency, with such training to occur at **least biennially**.*

**Deficiency:** Missing from policy 303 is the frequency in which the agency trains/qualifies on less-than-lethal weapons or control devices. Recommend policy include verbiage to address frequency of training.

**Agency Action/Final Status:** The agency added verbiage to policy 303 that indicates training occurs yearly. The agency is now in compliance with standard 1.3.6 Less-Lethal Weapons and Control Devices.

**Review Period:** 2016, 2017, 2018

### **N/A by Function:**

- 1.5.12 Cadets
- 1.5.13 Volunteers
- 1.10.1 Crime and Traffic Analysis
- 2.1.5 Police Service Dogs
- 2.1.6 Special Response Unit
- 4.1.1 Temporary Holding Facility
- 4.1.2 Juvenile Detention
- 4.2.1 Administration and Organizational Structure
- 4.2.2 Operational Procedures
- 4.3.1 Custody Searches
- 4.3.2 Emergency Response
- 4.3.3 Alcohol and Controlled Substances

#### 4.3.4 Prisoner Transports

### **PERFORMANCE ACTIVITIES**

The agency's activities were measured against all identified time sensitive standards and found to be in compliance with all requirements.

#### **1.2.5 – Bias-Based Policing**

The Philomath Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of the agency to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group. Training on fair and objective policing of policy is conducted as directed by the training office. File documentation substantiated compliance with training requirements of the standard.

#### **1.3.3 – Use of Firearms**

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Good file documentation substantiated compliance with standard requirements.

#### **1.3.4 – Firearms Proficiency**

All sworn officers are required to complete quarterly training with their duty weapon under the supervision of a certified firearms instructor. In addition to quarterly training, all members qualify at least annually with their duty firearm. Officers qualify with off-duty and secondary firearms at least twice a year. Those officers who fail to meet the minimum standards or qualify on their first shooting attempt will be provided remedial training. Repeated failures to qualify may result in removal from field duties and appropriate discipline may follow. Good file documentation substantiated compliance with standard requirements.

#### **1.3.7 –Use of Force Reporting and Review**

All use of force is documented on a specific Use of Force Report form and in the incident report. Supervisors must be notified as soon as possible following the application of force in any of the following circumstances; (a) The application caused visible injury; (b) The application would lead a reasonable officer to conclude that the individual had experienced more than normal discomfort; (c) There was a complaint of injury or continuing pain; (d) The individual intends to pursue litigation; (e) Any application of a CED or control device; (f) The application of a restraint device other than handcuffs, shackles or belly chains; (g) The individual was rendered unconscious; (h) The individual was struck or kicked; or (i) An individual alleges any of the above occurred.

Supervisors review and approve all reports. The Chief of Police may convene a Use of Force Review Board to investigate circumstances surrounding any use of force incident.

Each January, the Sergeant ensures that an annual review of all use of force reports from the previous calendar year is conducted, with the focus on effectiveness and trends in use of force that might suggest training or equipment needs, or policy modification. File contained annual quarterly use of force reporting for 2016, 2017, 2018, and 2019. Appropriate file documentation substantiated standard compliance.

### **1.3.8 – Officer Involved Shootings**

Agency policy related to officer involved shootings is clear and comprehensive. Should an officer involved shooting occur, protocol is to activate the Linn Benton Major Crimes Team. Policy identifies several separate investigations occur during officer-involved shooting. The investigations may include: (a) A criminal investigation of the suspect's actions; (b) A criminal investigation of the involved officers' actions (c) An administrative investigation as to policy compliance by involved officers; and (d) A civil investigation to determine potential liability. Appropriate file documentation substantiated standard compliance.

### **1.5.3 –Evaluations of Employee**

All employees are evaluated annually with rating criteria included in policy. Provisions are established for probationary employees and Reserve Officers. Appropriate documentation substantiated standard compliance.

### **1.6.1 – Cash Funds/Accounts**

The agency maintains three cash funds, Petty Cash, Cash Receipts, and Investigative Fund. The Administrative Assistant is responsible for managing the Petty Cash and Cash Receipts Funds, and the Sergeant and Administrative Assistant are dually responsible for managing the Investigative Fund. Departmental Directives establish procedures for use, accounting, and reconciling of these funds. Appropriate file documentation substantiated compliance with standard requirements.

### **1.6.2 – Audits**

All city fiscal activities, including the police department, are audited annually per City of Philomath Administrative Order 10-01. Audits from 2009 through 2018 are located on the City of Philomath web site. Appropriate file documentation substantiated standard compliance.

### **1.7.1 – Personnel Complaint Procedure**

All complaints are accepted by the agency. Complaints may be received written, orally in person or by telephone. Allegation rising to the level of a complaint are classified as Informal, Formal or Incomplete. Procedures for investigating complaints meets all standard requirements with completed investigations classified as Unfounded, Exonerated, Not Sustained, or Sustained. On an annual basis, the agency audits the log and sends an audit report to the chief of police or the authorized designee. The agency did not receive any formal complaints during this accreditation period. File documentation substantiated standard compliance.

### **1.8.1 – Training Policy**

The agency seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is

provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. The objectives of the Training Program are to: (a) enhance the level of law enforcement service to the public; (b) increase the technical expertise and overall effectiveness of personnel; (c) provide for continued professional development of department personnel; and (d) enhance the safety of deputies and the community. The training plan addresses the following areas: legislative changes and changes in case law, state-mandated training, Prison Rape Elimination Act (PREA) and high-liability issues training. File documentation substantiated standard compliance.

### **2.1.2 – Vehicle Pursuit Driving**

A comprehensive policy establishes procedures for initiating, conducting and terminating pursuits. Officers are authorized to pursue when the suspect is attempting to avoid arrest and only when necessary as outlined in policy. Mandatory reporting is required with established criteria. A "Supervisory Pursuit Review Report" is completed on all pursuits, with annual reviews of all prior year vehicle pursuits conducted in the first quarter of the new calendar year. File contained annual pursuit reviews for 2016, 2017 and 2018. File documentation substantiated compliance with all standard requirements.

### **2.1.6 – Special Response Unit**

Not applicable by function. The agency does not have a Special Response Unit.

### **2.1.7 – Prisoner Transport**

If a prisoner escapes during transport, Dispatch and the on-duty supervisor will be notified immediately, the transporting officer evaluates the situation and use discretion before pursuing the escapee alone. The officer completes a detailed report of the incident. The agency has no reported prisoner escapes.

### **2.3.1 – Disaster Plan**

The City of Philomath participates in the Benton County Emergency Management Plan (EMP) with a hard copy of the plan maintained in the report writing area of the police department. The Emergency Management Plan is reviewed regularly and exercised annually to provide practical experience for those having EOC responsibilities. Agency personnel undergo annual training on the EMP. Appropriate file documentation substantiated standard compliance.

### **2.5.3 – Vehicle Inspections**

Agency policy requires vehicle inspections before each shift for damage and proper operation of all systems in compliance with standard requirements. An inspection sticker has been developed that officers can affix to their officer's notebook that records unit number, date, shift, and check blocks for the specific equipment and operations to be checked. Appropriate file documentation substantiated standard compliance.

### **3.1.3 – Emergency Power (Communications)**

Communications services for Philomath Police Department are provided by the Corvallis Regional Communication Center. The emergency generator is tested every Monday. In addition, a UPS system is in place that can power the entire communications center for up to 20 minutes. The generator is designed to provide power after one minute of a power failure. The Corvallis Police Department is accredited through the Commission on

Accreditation for Law Enforcement Agencies (CALEA). CALEA standards correspond with the Oregon Accreditation Alliance standards.

### **3.3.4 – Administration and Operations (Property Control)**

Property and evidence are submitted to the Property and Evidence Room electronically. All items entered into property are bar-coded and recorded electronically. All weapons, drugs, and valuables are stored separately within the property room. Entry into the property room is restricted and an electronic key is used to records entry. Overflow property is stored in a shipping container located at Public Works. The container is secured in a locked bay and is monitored 27/7 through by an alarm company. An electronic key records all entries. The property room was efficiently run and meets all standard requirements.

### **3.3.10 – Property and Evidence Audits**

Policy requires the following inspections, audits and inventories: (a) Monthly inspection by the evidence function supervisor of storage areas and practices to ensure adherence to policies and procedures; (b) Unannounced inspections conducted annually at the direction of the Chief of Police; (c) Annual audit of evidence held by the agency by a supervisor appointed by the Chief of Police who is not routinely or directly connected with evidence control; and (d) Whenever there is a change in personnel who have access to the evidence storage area a complete inventory will be conducted by an individual not associated with the evidence function, to ensure records are correct and all property is accounted for. File contained evidence audits or 2016, 2017, 2018 and 2019. Good file documentation substantiated standard compliance.

### **4.1.1 – Temporary Holding Facility Inspections**

This standard is not applicable by function.

### **4.3.2 – Emergency Response Equipment Inspection and Evacuation Plan Training**

This standard is not applicable by function.

## **SUMMARY AND RECOMMENDATIONS**

I have carefully evaluated all aspects of the Philomath Police Department and satisfied that the agency is in compliance with all applicable standards. It is my recommendation that the Philomath Police Department be favorably nominated for state accreditation to the Board of Directors at their next regularly scheduled meeting.

Respectfully,  
Scott Hayes  
Assessor